

6 PAGES

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12 UNITED STATES BANKRUPTCY COURT
13 EASTERN DISTRICT OF CALIFORNIA
14 SACRAMENTO DIVISION

15 In re:

16 RUSSELL WAYNE LESTER, an
17 individual, dba Dixon Ridge Farms,

18 Debtor in Possession.

19 CASE NO.: 20-24123-E-11

20 Chapter 11

21 DCN: FWP-2

22 Eighth and Final Interim

23 Hearing: April 8, 2021

24 Time: 2:00 p.m.

25 Courtroom: Judge Ronald H. Sargis
26 1200 I Street, Suite 200
27 Modesto, CA

28 **NOTICE OF FINAL HEARING ON DEBTOR IN POSSESSION'S EMERGENCY
MOTION FOR AN ORDER (A) AUTHORIZING INTERIM AND FINAL USE OF
CASH COLLATERAL; (B) GRANTING REPLACEMENT LIENS; AND
(C) SCHEDULING FINAL HEARING PURSUANT TO BANKRUPTCY RULE 4001
TO ALL INTERESTED PARTIES AND THEIR COUNSEL OF RECORD:**

29 **NOTICE IS HEREBY GIVEN** that a Final Hearing ("Hearing") will be held on April 8,
30 2021 at 2:00 p.m., or as soon thereafter as the matter may be heard, in the courtroom of the
31 Honorable Ronald H. Sargis, United States Bankruptcy Judge, 1200 I Street, Suite 200, Modesto,
32 California, on the Emergency Motion for an Order (A) Authorizing Interim and Final Use of Cash
33 Collateral; (B) Granting Replacement Liens; and (C) Scheduling Final Hearing Pursuant to
34 Bankruptcy Rule 4001 (the "Motion") submitted by the above-captioned debtor in possession (the
35 "Debtor in Possession"). A copy of the proposed Amended 13 Week Cash Budget is attached hereto
36 as Exhibit A.

1 **NOTICE IS FURTHER GIVEN** that all of the information contained in the Motion is not
2 set forth in this notice. A copy of the Motion and all supporting papers are a part of the Court's
3 electronic record, which is the official record of the Court, and can be accessed either through the
4 e-CalWebPACER information system (see <http://www.caeb.uscourts.gov/> -- subscription required)
5 or is available for inspection at computer terminals (printing is available), which are located at the
6 Office of the Clerk, Suite 3-200, 501 I Street, Sacramento, California. Counsel for the debtor in
7 possession will also post this notice, the motions, and supporting documents on its web page, which
8 may be accessed as follows: go to www.ffwplaw.com, then click the cases button (last button in
9 the top right-hand corner of the home page), then click on the link to the following web address:
10 <https://ffwplaw.sharefile.com/login.aspx>; then type the following in the Second box
11 "cases@ffwplaw.com" (without quotes) and then type in the second password box
12 "FFWPRlaw!Password1" (again without quotes). Then click on the "Log In" button; then click
13 Russell Lester - Dixon Ridge Farms, and then click on the document that you would like to review.

14 **NOTICE IS FURTHER GIVEN** that your rights may be affected. You should read these
15 papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If
16 you do not have an attorney, you may wish to consult one.

17 **NOTICE IS FURTHER GIVEN** that the Motion is filed pursuant to Local Rule of Practice
18 9014-1(f)(1). Any opposition to the granting of the relief sought in the Motion must be filed on or
19 before April 5, 2021. If you do not want the Court to approve the Motion, or if you want the Court
20 to consider your views on the Motion, you or your attorney must attend the hearing scheduled on
21 April 8, 2021, at 2:00 p.m., to be held electronically at the United States Bankruptcy Court, 1200 I
22 Street, Suite 200, Modesto, California, before the Honorable Ronald H. Sargis, United States
23 Bankruptcy Judge. Failure to oppose the relief requested in the Motion may constitute a waiver of
24 your objections.

25 **PLEASE TAKE FURTHER NOTICE** that effective immediately and extended
26 indefinitely (see General Order 618) all court hearings will be held telephonically, unless otherwise
27 ordered by the Chief Judge of the Bankruptcy Court. For specific information about the operations
28

of the Bankruptcy Court during this time, please see Chief Judge Sargsi's Notice of Restricted Courthouse Access and Required Telephonic Appearances for Counsel and Parties which provides:

If you are a pro se debtor or creditor (a debtor or creditor without a lawyer), you may appear in court telephonically by calling Court Call, a third-party service at: 1-866-582-6878. The Court understands that pro se debtors may use this service without charge for now, but the Court urges you to check with Court Call. If you would like to file a document, please file it by mail. Check the Court's website for the mailing addresses of the Court's divisional offices. You may also file a document by bringing it to the court and leaving it in a drop box the Court has in its lobby. Court Security Officers will show you where the drop box is located. The Court asks that you do not put cash in the drop box. If you do leave cash in the drop box, the Court will not return any change due. Cashier's checks and money orders will be accepted. If you are an attorney, please use Court Call to telephonically appear in court hearings. Court Call's number is: 1-866-582-6878. The Court understands that wait-times are longer than usual, so please give yourself plenty of time. Any future changes or updates will be posted on the Court's website and communicated as appropriate.

NOTICE IS FURTHER GIVEN that interested parties can determine whether the matter has been resolved without oral argument or whether the Court has issued a tentative ruling and can view any pre-hearing dispositions by checking the Court's website at www.caeb.uscourts.gov after 4:00 p.m. the day before the hearing. Parties appearing telephonically must view the pre-hearing dispositions prior to the hearing.

For a charge, telephonic court appearances may be arranged by contacting Court Call at (866) 582-6878 at least 24 hours in advance of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter orders granting the relief requested.

Dated: March 29, 2021

FELDERSTEIN FITZGERALD
WILLOUGHBY PASCUZZI & RIOS LLP
By: /s/ Thomas A. Willoughby
THOMAS A. WILLOUGHBY
Attorneys for Russell Wayne Lester, dba Dixon Ridge
Farms, the Debtor in Possession

EXHIBIT A

	<u>APRIL BUDGET</u>			<u>MAY BUDGET</u>		
	April Forecast	Ambeded 13 Week Cash Budget April	April Variance	May Forecast	Ambeded 13 Week Cash Budget April	May Variance
OPERATING STATISTICS						
Walnuts Harvested (lbs)	-	-	-	-	-	-
In-Shell Shipped (lbs)	500	500	-	400	400	-
Meats Shipped (lbs)	75,000	75,000	-	60,000	60,000	-
SALES (INVOICES)						
In-Shell	625	625	-	500	500	-
Processed Meats	300,000	300,000	-	240,000	240,000	-
Custom Work/Wire Costs/Late Charges/Oil/Other	-	-	-	-	-	-
Total	300,625	300,625	-	240,500	240,500	-
UNIT SALES PRICES (\$/LB)						
In-Shell	\$ 1.25	\$ 1.25	\$ -	\$ 1.25	\$ 1.25	\$ -
Processed Meats	\$ 4.00	\$ 4.00	\$ -	\$ 4.00	\$ 4.00	\$ -
ACCOUNTS RECEIVABLE						
Beginning Balance	\$ 493,551	\$ 493,551	\$ -	\$ 524,345	\$ 524,345	\$ -
Add: Invoices	\$ 300,625	\$ 300,625	\$ -	\$ 240,500	\$ 240,500	\$ -
Less: Receipts	\$ (269,832)	\$ (269,832)	\$ -	\$ (215,865)	\$ (215,865)	\$ -
Ending Balance	\$ 524,345	\$ 524,345	\$ -	\$ 548,979	\$ 548,979	\$ -
CASH RECEIPTS						
TOTAL CASH RECEIPTS	\$ 278,486	\$ 278,486	\$ -	\$ 222,788	\$ 222,788	\$ -
CASH DISBURSEMENTS						
Labor & Related						
Total	\$ 145,500	\$ 145,500	\$ -	\$ 97,000	\$ 97,000	\$ -
Farming						
Total	\$ 30,217	\$ 30,217	\$ -	\$ 24,048	\$ 24,048	\$ -
Processing						
Total	\$ 40,162	\$ 40,162	\$ -	\$ 32,130	\$ 32,130	\$ -
Administrative						
Total	\$ 48,808	\$ 48,808	\$ -	\$ 46,682	\$ 46,682	\$ -
Other Operating						
Total	\$ 33,846	\$ 33,846	\$ -	\$ 23,077	\$ 23,077	\$ -
Financing						
Total	\$ 153	\$ 153	\$ -	\$ 122	\$ 122	\$ -
Professional (Restructuring)						
Total	\$ 10,000	\$ 10,000	\$ -	\$ 5,000	\$ 5,000	\$ -
TOTAL CASH DISBURSEMENTS	\$ 308,686	\$ 308,686	\$ -	\$ 228,058	\$ 228,058	\$ -
NET CASH FLOW						
NET CASH FLOW	\$ (30,201)	\$ (30,201)	\$ -	\$ (5,270)	\$ (5,270)	\$ -
CASH (BOOK) BALANCE						
Beginning Book Balance	\$ 556,025	\$ 556,025	\$ -	\$ 525,824	\$ 525,824	\$ -
Add: Net Cash Flow	\$ (30,201)	\$ (30,201)	\$ -	\$ (5,270)	\$ (5,270)	\$ -
ENDING BOOK BALANCE	\$ 525,824	\$ 525,824	\$ -	\$ 520,554	\$ 520,554	\$ -

	JUNE BUDGET			AMENDED 13 WEEK CASH BUDGET MARCH 26 THRU JUNE 25		
	June Forecast	Amended 13 Week Cash Budget April	June Variance	Forecast	Budget	Variance
OPERATING STATISTICS						
Walnuts Harvested (lbs)	-	-	-	-	-	-
In-Shell Shipped (lbs)	400	400	-	1,300	1,300	-
Meats Shipped (lbs)	60,000	60,000	-	195,000	195,000	-
SALES (INVOICES)						
In-Shell	500	500	-	1,625	1,625	-
Processed Meats	240,000	240,000	-	780,000	780,000	-
Custom Work/Wire Costs/Late Charges/Oil/Other	-	-	-	-	-	-
Total	240,500	240,500	-	\$ 781,625	\$ 781,625	\$ -
UNIT SALES PRICES (\$/LB)						
In-Shell	\$ 1.25	\$ 1.25	\$ -	\$ 1.25	\$ 1.25	\$ -
Processed Meats	\$ 4.00	\$ 4.00	\$ -	\$ 4.00	\$ 4.00	\$ -
ACCOUNTS RECEIVABLE						
Beginning Balance	\$ 548,979	\$ 548,979	\$ -	\$ 493,551	\$ 493,551	\$ -
Add: Invoices	\$ 240,500	\$ 240,500	\$ -	\$ 781,625	\$ 781,625	\$ -
Less: Receipts	\$ (215,865)	\$ (215,865)	\$ -	\$ (701,562)	\$ (701,562)	\$ -
Ending Balance	\$ 573,614	\$ 573,614	\$ -	\$ 573,614	\$ 573,614	\$ -
CASH RECEIPTS						
TOTAL CASH RECEIPTS	\$ 222,788	\$ 222,788	\$ -	\$ 724,062	\$ 724,062	\$ -
CASH DISBURSEMENTS						
Labor & Related						
Total	\$ 97,000	\$ 97,000	\$ -	339,500	339,500	-
Farming						
Total	\$ 24,048	\$ 24,048	\$ -	78,312	78,312	-
Processing						
Total	\$ 32,130	\$ 32,130	\$ -	\$ 104,422	\$ 104,422	\$ -
Administrative						
Total	\$ 46,682	\$ 46,682	\$ -	\$ 142,172	\$ 142,172	\$ -
Other Operating						
Total	\$ 23,077	\$ 23,077	\$ -	80,000	80,000	-
Financing						
Total	\$ 122	\$ 122	\$ -	397	397	-
Professional (Restructuring)						
Total	\$ 5,302	\$ 5,302	\$ -	20,302	20,302	-
TOTAL CASH DISBURSEMENTS	\$ 228,360	\$ 228,360	\$ -	\$ 765,105	\$ 765,105	\$ -
NET CASH FLOW						
NET CASH FLOW	\$ (5,572)	\$ (5,572)	\$ -	\$ (41,043)	\$ (41,043)	\$ -
CASH (BOOK) BALANCE						
Beginning Book Balance	\$ 520,554	\$ 520,554	\$ -	\$ 556,025	\$ 556,025	\$ -
Add: Net Cash Flow	\$ (5,572)	\$ (5,572)	\$ -	\$ (41,043)	\$ (41,043)	\$ -
ENDING BOOK BALANCE	\$ 514,982	\$ 514,982	\$ -	\$ 514,982	\$ 514,982	\$ -